

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Petition of the	)	File No. NSD-L-02-03
Connecticut Department of Public Utility Control	)	
for Authority to Conduct a Transitional	)	CC Docket No. 99-200
Service Technology Specific Overlay Trial	)	
in Connecticut	)	

**COMMENTS OF SBC COMMUNICATIONS, INC.**

SBC Communications Inc. (SBC), on its own behalf and on behalf of its local exchange carriers, submits its comments on the “Petition of the Connecticut Department of Public Utility Control for Authority to Conduct a Transitional Service Technology Specific Service Overlay Trial” (Petition).<sup>1</sup>

As an option for NPA relief plans, SBC continues to support limited transitional overlays. In general, SBC supports the Connecticut Department of Public Utility Control’s (Connecticut Commission) Petition for a transitional, specialized overlay (“SO”) trial. Nevertheless, SBC requests clarification on several aspects of the Connecticut Commission’s petition and recommends that the FCC make any delegated authority it grants subject to the condition that the Connecticut Commission convene an industry technical conference before implementing the SO to address areas of concern. Also, SBC advocates that the FCC require, at a minimum, ten-digit local dialing between the affected area codes.

In its *Third Report and Order and Second Order on Reconsideration* (NRO III)<sup>2</sup> in the Numbering Resource Optimization docket, the FCC enumerated eight criteria that state commissions should address in their petitions for delegated authority to implement a SO. SBC’s

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<sup>1</sup> See *In the Matter of Numbering Resource Optimization*, CC Docket No. 99-200, NSD File No. L-02-03, *Public Notice*, DA 02-274 (rel. Feb. 6, 2002).

<sup>2</sup> *In the Matter of Numbering Resource Optimization; Implementation of the Local Competition Provisions of the Telecommunications Act of 1996; Telephone Number Portability*, CC Docket Nos. 99-200, 96-98, and 95-116, *Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200*, 17 FCC Rcd 252 (2001)(NRO III).

comments will be presented in the same order as these eight criteria were set out in the Connecticut Commission's Petition.

### **Discussion**

#### **(1) The technologies or services to be included in the SO.**

The Connecticut Commission's original petition limited participation in the transitional overlay to non-LNP-capable service providers. In its supplemental petition, however, the Connecticut Commission is including non-geographic-based service providers or service providers whose subscribers have no preference where their telephone numbers are assigned.<sup>3</sup> With this vague reference, it is difficult for SBC to comment on the proposal. SBC notes that, in NRO III, the FCC itself identified such providers as including "some data services, automatic teller machines (ATMs), and unified messaging services."<sup>4</sup> It would appear that the Connecticut Commission is proposing a blended SO — blending both technology-specific (involving wireless and paging carriers) and service-specific overlays (involving non-geographic-based service providers).<sup>5</sup> SBC requests that, before delegating authority, the FCC seek clarification from the Connecticut Commission as to the specific services that will be included or, alternatively, that the FCC direct the Connecticut Commission to convene an industry technical conference before implementing the SO trial to identify the types of services to be included in the SO and to discuss any potential issues.

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<sup>3</sup> Petition, at p. 2.

<sup>4</sup> *Id.* at &69.

<sup>5</sup> SBC notes that the FCC conditionally opined that

a technology-specific overlay that includes, for example, wireless and paging carriers, that is transitional in nature, that avoids take-backs, and that covers a sufficiently large geographic area such that the demand for numbers is substantial, would likely pass muster . . . [and that the FCC would] likely favor service-specific overlays that would include non-geographically sensitive services . . . and that would require take-backs of such numbers from established area codes.

NRO III at &74.

- (2) The geographic area to be covered.**
- (8) Whether the SO will cover an area in which pooling is taking place.**

SBC supports the Connecticut Commission's request to implement two separate SOs, one each for Connecticut's two area codes — NPA 203 and NPA 860 — within the same geographic boundaries. Thousands-block number pooling has already been implemented in both the area codes.

- (3) Whether the SO will be transitional.**
- (4) When the SO will be implemented, and if a transitional overlay is proposed, when the SO will become an all-services overlay.**

In the petition, the Connecticut Commission states that the proposed SO will be transitional and will become an all services overlay when the underlying NPAs exhaust.<sup>6</sup> SBC finds this acceptable and supports this part of the petition. Nevertheless, SBC requests that, should it be appropriate,<sup>7</sup> the FCC delegate any authority to implement the SO subject to a direction to require adequate time for the industry to provide customer education for mandatory ten-digit dialing, which the Commission has consistently required with all-services overlay relief. SBC recommends a minimum of 90 days for customer education.

- (5) Whether the SO will include take-backs.**

The Connecticut Commission appears to be blending a technology-specific overlay with a service-specific overlay. The FCC has indicated that it disfavors take-backs for technology-specific overlay plans, because "the costs would be particularly significant."<sup>8</sup> The FCC has directed that state commissions proposing SO plans with take-backs "include a strong showing that the consumer and industry costs associated with take-backs are outweighed by the optimization benefits of the take-backs."<sup>9</sup> As of yet, the Connecticut Commission has not made this showing. Nevertheless, SBC supports the proposal to request take-backs of all unopened

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<sup>6</sup> Petition, at p. 7.

<sup>7</sup> See discussion of ten-digit dialing below.

<sup>8</sup> *Id.* at &88.

<sup>9</sup> *Id.* at &90.

NXXs from the existing area codes from service providers that will participate in the transitional SO area codes. SBC's support for any additional take-backs, particularly take-backs that require the reassignment of telephone numbers, is conditioned upon the Connecticut Commission's convening an industry technical conference to discuss the services that will be part of the SO plan. In the absence of more information, SBC cannot give its unqualified support.

**(6) Whether there will be ten-digit dialing in the SO and the underlying area code(s).**

While the Connecticut Commission does not believe that "10-digit dialing would be necessary," it defers to the FCC on this point.<sup>10</sup> In brief, the Connecticut Commission is not seeking a waiver of the ten-digit dialing rule. SBC supports and recommends a uniform ten-digit dialing plan. Regardless, the FCC should require at a minimum ten-digit local dialing between the SOs and underlying area codes. Ten-digit local dialing between area codes helps ensure that there will not be code conflicts and, thus, rating and routing issues between the SOs and underlying area codes. SBC also recommends ten-digit local dialing for non-geographic-based services, since, once the all-services overlays are implemented, the SO will convert to mandatory ten-digit local dialing. Nevertheless, SBC believes that an industry technical conference convened under the auspices of the Connecticut Commission before implementing an SO trial would be beneficial to determine what type of services should be included and what potential problems may arise if ten-digit local dialing within an area code is not required for non-geographic-based services.

**(7) Whether the SO and the underlying area code(s) will be subject to rationing.**

SBC agrees with the Connecticut Commission that the underlying area codes should not be subject to code rationing.

**Conclusion**

SBC conditionally supports the Connecticut Commission's petition for a transitional SO trial. SBC recommends that, at a minimum, the FCC require ten-digit local dialing between the

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<sup>10</sup> Petition, at p.8.

SO and the underlying area codes. Since it is unclear what type of services will be included in the SO trial, SBC recommends that the FCC condition any delegated authority upon the Connecticut Commission's hosting an industry technical conference to discuss this issue before implementing an SO trial to discuss the technical concerns of affected companies.

Respectfully submitted,

SBC COMMUNICATIONS INC.

By: /s/ William A. Brown

William A. Brown  
Gary L. Phillips  
Paul K. Mancini  
SBC Telecommunications, Inc.  
1401 I Street, N.W., 4<sup>th</sup> Floor  
Washington, DC 20005  
(202) 326-8904 – Voice  
(202) 408-8745 – Fax

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Its Attorneys